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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: YAMAGATA ET AL. Examiner: Z. SMITH
Serial No.: 10/037,866 Group Art Unit: 2877
Filed: OCTOBER 24, 2001 Docket: 10873.326USD1
Confirmation No.: 5239
Due Date: JUNE 18, 2004
Title: DEVICE FOR CALCULATING DIFFRACTION EFFICIENCIES OF A DIFFRACTION LENS,
LENS WITH GRAFTING ELEMENT, AND OPTICAL SYSTEM FOR READING

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 28, 2004.

June 4

By:

Name:

Kristine A. Wacker
Kristine A. Wacker

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

23552

PATENT TRADEMARK OFFICE

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Response to Restriction Requirement
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.
P.O. Box 2903, Minneapolis, MN 55402-0903
612.332.5300

By:

DP Mueller
Name: Douglas P. Mueller
Reg. No.: 30,300
DMueller:PLSkaw



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PATENT

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By:

Name:

Kristine A. Wacek
Kristine A. Wacek

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Restriction Requirement dated May 18, 2004. It appears that the restriction requirement failed to recognize the cancellation of claims 13, 14, 30, 31, 34 and 47-79 when this divisional application was filed. See item 2 on page 2 of the transmittal for the application. Therefore, only claims in Group I are pending, and the restriction requirement is moot. Applicants courteously request an early and favorable action on the pending claims.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

Date:

Jun 4, 2004

[Signature]

Douglas P. Mueller
Reg. No. 30,300
DPM:PLSkaw